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**UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF
 GOVERNMENT EMPLOYEES, *et al.*,

Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONNEL
 MANAGEMENT, *et al.*,

Defendants.

) Case No. 3:25-cv-1780-WHA

) **ADMINISTRATIVE MOTION TO SUBMIT**
) **LETTERS IN COMPLIANCE WITH COURT**
) **NOTICE UNDER SEAL**

) Honorable William H. Alsup

1 Pursuant to Civil Local Rule 7-11 and 79-5(c), Defendants move to provide under seal the
2 corrective letters in compliance with this Court’s Notice Re: Preliminary Injunction Compliance, ECF No.
3 237 (“Notice”). In that Notice, the Court stated that “[t]he government should be prepared with hard copies
4 of the corrective letters sent by each agency.” *Id.* at 2. Because the letters to the terminated probationers
5 contain the personal identifying information (“PII”) of the terminated probationers, Defendants and
6 Plaintiffs both submit that this information should remain under seal.

7 The information Defendants seek to seal is not being submitted in support of any argument for
8 relief on the merits but rather to comply with the Court’s Notice, the “good cause” standard for sealing
9 applies. *See Ctr. for Auto Safety v. Chrysler Group, LLC*, 809 F.3d 1092, 1097 (9th Cir. 2016) (internal
10 citations omitted). Even under the more stringent “compelling reasons” standard for sealing some
11 information, courts in this District routinely order the sealing of third-party PII. *See, e.g., Opperman v.*
12 *Path, Inc.*, No. 13-cv-453, 2017 WL 1036652, at *4 (N.D. Cal. Mar. 17, 2017) (exhibit containing “the
13 names, email addresses, and phone numbers of non-part[ies]” provided “compelling reasons to seal [it] in
14 its entirety”).

15 In this case, there is both good cause and a compelling reason to protect federal employee PII from
16 public disclosure here. First, absent an applicable exemption, the Privacy Act protects such information
17 from disclosure. *See* 5 U.S.C. § 522a(b). Second, the federal employees identified in the letters are not
18 parties to this litigation and have their own privacy interests; therefore there is no need for public
19 disclosure of their identities or their PII at this point in the proceedings. *See Foltz v. State Farm Mut. Auto.*
20 *Ins. Co.*, 331 F.3d 1122, 1137 (9th Cir. 2003) (recognizing the need to “protect third-party privacy
21 interests” in “personnel records”). If sealing were denied, the names and PII of third-party employees will
22 be exposed to public attention in this high-profile litigation.

23 CONCLUSION

24 Defendants respectfully request this Court grant this Motion and permit an unredacted version of
25 the corrective letters to be submitted under seal in hard copy form to the Court at the August 28, 2025,
26 hearing.

1 DATED: August 26, 2025

Respectfully submitted,

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